



# NEWS

Judicial Council of California  
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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF MARCH 13, 2000**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#00-23 Currie v. Workers' Comp. Appeals Bd., S085652. (B136767.) No opinion. Petition for review after the Court of Appeal denied a petition for writ of review. This case concerns whether prejudgment interest is available on an award of back pay made pursuant to Labor Code section 132a based upon a finding that the employer wrongfully refused to reinstate an employee who had sustained an industrial injury.

#00-24 In re Arturo D., S085213. (A085945; 77 Cal.App.4th 160.) Petition for review after the Court of Appeal reversed an order of the juvenile court.

#00-25 People v. Hinger, S085218 (G023616.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

Arturo D. and Hinger present similar issues concerning the propriety of the search of the interior of a vehicle whose driver, upon being detained for a traffic violation, fails

(over)

to produce a driver's license, other identification, or the vehicle registration.

#00-26 Levy v. PacifiCare of California, S085550. (E022431; 77 Cal.App.4th 9.) Petition for review after the Court of Appeal affirmed a judgment dismissing a civil action. The court ordered briefing deferred pending decision in McCall v. PacifiCare of Cal., Inc., S082236 (#99-187), which concerns whether state law claims against a health maintenance organization, arising out of a refusal to provide services under a Medicare-subsidized health plan, fall within the exclusive review provisions of the Medicare Act requiring exhaustion of administrative remedies.

#00-27 People v. Palmer et al., S085029. (E022373.) Unpublished opinion. Petition for review by defendant Price after the Court of Appeal modified and affirmed judgments of conviction. The court limited review to issues concerning whether one defendant's conviction of conspiracy to commit murder and of attempted premeditated murder can be sustained when the codefendant was acquitted of conspiracy and convicted only of attempted murder.

#00-28 Ramirez v. Circuit City Stores, Inc., S085000. (A085701; 76 Cal.App.4th 1229.) Petition for review after the Court of Appeal affirmed an order denying a motion to compel arbitration. The court ordered briefing deferred pending decision in Armendariz v. Foundation Health Psychcare Services, Inc., S075942 (#99-32) which presents issues concerning the enforceability of an arbitration agreement that is claimed to be unconscionable.

## **DISPOSITIONS**

#99-44 Paxton v. Stewart, S075943, was transferred to the Court of Appeal for reconsideration in light of Schreiber v. Estate of Kiser, 22 Cal.4th 31.

The following cases were transferred to the Court of Appeal for reconsideration in light of People v. Martinez, 22 Cal.4th 106:

#98-8 People v. Fortson, S065898.

#98-171 People v. Murphy, S074208.

#99-1 People v. Abeyta, S074361.

The following cases were dismissed and remanded to the Court of Appeal:

#97-138 People v. Allen, S062860.

#99-47 Lavelle v. BankAmerica Corp., S074192.

#99-66 People v. Rodriguez, S077112.

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